



EXPEDITED RULE MAKING

CR-105 (June 2004)
(Implements RCW 34.05.353)
EXPEDITED RULE MAKING ONLY

Agency: Department of Agriculture

Title of rule and other identifying information: (Describe Subject) Chapter 16-445 WAC Standards For Italian Prunes

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

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AND RECEIVED BY May 2, 2005

Purpose of the proposal and its anticipated effects, including any changes in existing rules: RCW 34.05.353(1)(c) allows the Washington State Department of Agriculture (WSDA) to file notice for the expedited adoption of rules if "the proposed rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect." The WSDA has rewritten, reformatted and reorganized chapter 16-445 (Standards for Italian Prunes) in a clear and readable format so the rule is easier to understand and use. **No new requirements are included in the rewritten chapter 16-445 WAC.**

Reasons supporting proposal: The department believes that the rewritten chapter 16-445 WAC is easier to understand and use and should be a benefit to department inspectors and the Washington state Italian prune industry. The rewritten chapter 16-445 WAC is a result of the department's ongoing Executive Order 97-02 rule review effort and complies with the executive order's "clarity criteria".

Statutory authority for adoption: RCW 15.17.030 and RCW 15.17.050 and RCW 34.05.353

Statute being implemented: Chapter 15.17 RCW

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

DATE March 2, 2005

NAME Robert W. Gore

SIGNATURE

TITLE Assistant Director

CODE REVISER USE ONLY

CODE REVISER'S OFFICE STATE OF WASHINGTON FILED	
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(COMPLETE REVERSE SIDE)

Name of proponent: (person or organization) Washington State Department of Agriculture

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

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Drafting.....Jim Quigley	Olympia, WA	(360) 902-1833
Implementation...Jim Quigley	Olympia, WA	(360) 902-1833
Enforcement.....Jim Quigley	Olympia, WA	(360) 902-1833

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Washington State Department of Agriculture

CR-105 Attachment

Table Explaining Rewritten Chapter 16-445 WAC Standards For Italian Prunes

CURRENT RULE SECTIONS	PROPOSED RULE SECTIONS	ACTION and COMMENT
WAC 16-445-001 Promulgation		<u>REPEALED SECTION</u> This section was repealed but it is unnecessary and represents an outdated method of rule writing.
WAC 16-445-080 Definition of terms		<u>REPEALED SECTION</u> This section was repealed but its content was rewritten, reformatted and renumbered as WAC 16-445-015
	WAC 16-445-015 What definitions are important to this chapter?	<u>NEW SECTION</u> This is considered a new section because the department renumbered WAC 16-445-080. WAC 16-445-015 is written in a "Question and Answer" format, the definitions are arranged alphabetically, a definition for "department" has been added and some definitions like "damage" and "serious damage", because of their length, have been moved to a separate section.
	WAC 16-445-025 What does "damage" and "serious damage" mean?	<u>NEW SECTION</u> Because the definitions for "damage" and "serious damage" are so long, they have been moved to a separate section to make them easier to understand. Also, to improve clarity, they have been presented in a tabular format. There are no new requirements.
WAC 16-445-040 Washington No. 1 grade and tolerances	WAC 16-445-040 What is a "Washington No. 1 grade" Italian prune?	<u>AMENDED SECTION</u> that was rewritten for clarity by separating grade and tolerance requirements. Tolerance content was moved to a new section, WAC 16-445-045. There are no new requirements.
	WAC 16-445-045 What tolerances apply to Italian prune?	<u>NEW SECTION</u> To improve clarity, tolerance requirements were put into a separate WAC section and presented in a tabular format. The content is the same as what was contained in the old WAC 16-445-040. There are no new requirements.
WAC 16-445-050 Culls.		<u>REPEALED SECTION</u> This section was repealed but its content was moved to the definition section (WAC 16-445-015)
WAC 16-445-060 Application of tolerances.	WAC 16-445-060 How does the department apply its Italian prunes tolerances during an inspection?	<u>AMENDED SECTION</u> by rewriting the section title in the form of a question and rewriting the section content to improve its clarity and understanding. There are no changes in requirements.

CURRENT RULE SECTIONS	PROPOSED RULE SECTIONS	ACTION and COMMENT
WAC 16-445-070 Standard pack.	WAC 16-445-070 What are the "standard pack" requirements for Italian prunes?	<u>AMENDED SECTION</u> by rewriting the section title in the form of a question and rewriting the section content to improve clarity. There are no changes in requirements except old, outdated requirements have been deleted. The rewritten section reflects current industry practices.
WAC 16-445-090 Effective date.		<u>REPEALED SECTION</u> This section was repealed but it is unnecessary and represents an outdated method of rule writing.